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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,633	04/14/2004	Masahiro Ohara	2004_0538A	4631
513	7590	06/29/2005	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P.			PHAN, THO GIA	
2033 K STREET N. W.			ART UNIT	
SUITE 800			PAPER NUMBER	
WASHINGTON, DC 20006-1021			2821	

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/823,633

Applicant(s)

OHARA ET AL

Examiner

Tho G. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 5-11 is/are rejected.
- 7) ☒ Claim(s) 2-4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/14/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. Figure 6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

2. Claims 1, 4 and 11 are objected to because of the following informalities:

In claim 1, line 6, "coil" should change to --core--.

In claim 4, line 1, "1" should change to --3--(so as to support for the lack of antecedent basic for the phrase "the second region").

In claim 11, line 21, "second coil" should change to --second core--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Takizawa et al (4,978,966).

Takizawa et al in figures 1-9 disclose an antenna comprising a first core 1(1) made of first magnetic material, a coil 2 including a conductive wire wound around a predetermined region of the first core and a second core 1(n-1) made of second magnetic material, the second core being operable to move at an inside of the coil 2 (see figure 6).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takizawa et al in view of Maruyama et al (6,400,330).

Takizawa et al have been discussed above but fail to teach the magnetic material comprises magnetic material of Mn/Ni ferrite or rare earth material, and the magnetic materials are different/same/identical to each other. However, Maruyama et al in figure 2 teach the magnetic material comprises magnetic material of Mn/Ni ferrite (column 4, lines 36-41). It would have been obvious to provide Takizawa et al with the magnetic material comprises magnetic material of Mn/Ni ferrite or rare earth material, and the

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magnetic materials are different/same/identical to each other for the purpose of improving the antenna gain. Furthermore, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takizawa et al in view of Yoshida et al (2004/0061660).

Takizawa et al have been discussed above but fail to teach the second core being operable to move at an inside of the coil along the predetermined area of the first core and a second communication device operable to communicate with the first communication device via the antenna. However, Yoshida et al in figures 1-22 teach a plurality of laminated core sheets, therefore one core is within the coil along the predetermined area of the other core (figure 8, paragraph 0060), and a second communication device 101 operable to communicate with the first communication device via the antenna ( paragraph 0003). It would have been obvious to provide Takizawa et al with the second core being operable to move at an inside of the coil along the predetermined area of the first core and a second communication device operable to communicate with the first communication device via the antenna for the purpose of improving the shock resistance of the antenna chip (see paragraph 0060).

**Allowable Subject Matter**

7. Claims 2-3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claim 4 would be allowable if rewritten to overcome the above listed objection(s), set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

**Conclusion**


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to D'Hont, Goodman et al and Yahata et al are cited as of interested and illustrated a similar structure to an antenna core assembly.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tho G. Phan whose telephone number is 571-272-1826. The examiner can normally be reached on M-F, 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tho G. Phan  
Primary Examiner  
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